

REMARKS

Claims 1-30 are pending. Claims 1-4, 7, 8, 11, 12, 14, 15, 18, 19, 22-25, 28 and 29 have been amended. Claims 1, 11 and 22 are the only independent claims.

Claims 3, 8, 14, 19, 24 and 25 were objected to because of informalities. The non-narrowing amendments to those claims are believed to clearly obviate the objections.

Claims 8, 14, 18, 19, 25, 28 and 29, and apparently claim 4, were rejected under 35 U.S.C. § 112, second paragraph, as indefinite.

The claims have been carefully reviewed and amended as deemed necessary to ensure that they conform fully to the requirements of Section 112, second paragraph, without narrowing their scope. The amendments to claims 4, 15 and 25, are supported by the specification, at least at page 25, lines 20 et seq. with reference to the identifier discussed at line 20. It is believed that the rejection under Section 112, second paragraph, has been obviated, and its withdrawal is therefore respectfully requested.

Claims 1-6, 9-17, 20-27 and 30 were rejected under 35 U.S.C. § 102(a) as anticipated by the Callegati article. Claims 7, 18 and 28 were rejected under 35 U.S.C. § 103 over Callegati in view of U.S. Patent Publication No. 2004/6613. Applicant traverses.

Amended claim 1 is directed to a data multiplexing network system including: a wavelength division multiplexing network; a first wavelength multiplexing function unit for setting a plurality of different wavelengths which correspond to a plurality of different service classes, respectively, and for mapping each of a plurality of packets entering the wavelength division multiplexing network into a correspondent-wavelength corresponding to a particular one of the plurality of different service classes to which the

packet belongs, and for multiplexing the correspondent-wavelengths for the plurality of different service classes for a data transmission at a multiplexed-wavelength through the wavelength division multiplexing network; and a second wavelength multiplexing function unit for receiving the each correspondent-wavelength and for fetching a packet therefrom.

As is made even more clear, the recited mapping of the packets into correspondent wavelengths in claim 1 is being performed on packets entering into the WDM network. On the other hand, Callegati is describing routing *within an* optical WDM network, such that the service class and the wavelength are associated as a unit to allocate multiple wavelengths to a single service class or to allocate the packet and the wavelength in the optical network. For at least this reason, claim 1 is believed patentable over Callegati.

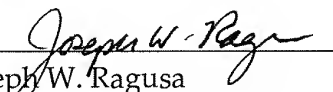
The other independent claims also recite a similar feature and are believed patentable for similar reasons.

The other claims in this application are each dependent from one or another of the independent claims discussed above and are therefore believed patentable for the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.

In view of the foregoing amendments and remarks, Applicant respectfully requests favorable reconsideration and early passage to issue of the present application.

Dated: December 13, 2007

Respectfully submitted,

By 

Joseph W. Ragusa

Registration No.: 38,586

DICKSTEIN SHAPIRO LLP

1177 Avenue of the Americas

41st Floor

New York, New York 10036-2714

(212) 277-6500

Attorney for Applicant